

Application No.: 09/935,392
 Applicant: Jeffrey T. Mason
 Filed: August 22, 2001
 Title: Medication Delivery System Having Selective Automated or Manual Discharge
 Art Unit: 3763
 Examiner: R. Ghafoorian
 Docket No.: 001P0001



**RESPONSE TRANSMITTAL AND
 EXTENSION OF TIME REQUEST**

AT
 3763

Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 Sir:

Comes. and Mail
BOX AF **RECEIVED**
 MAY 04 2004
 TECHNOLOGY CENTER 3700

FEE CALCULATION FOR ENCLOSED RESPONSE and EXTENSION REQUEST									
	Claims Remaining		Highest No. Previously Paid		Number Extra		Rate		Additional Fee
Total Claims	25	-	24	=	1	x	\$18.00	=	18.00
Independent Claims	6	-	9	=	0	x	\$86.00	=	0.00
Surcharge For Multiple Dependent Claim First Added							\$290.00	=	0.00
[X] Applicant requests a two month extension of time for response to the outstanding Office Action. The fee is									420.00
[] SMALL ENTITY STATUS (If applicable, divide TOTAL by 2)									0.00
[] Reduction for Extension Fee of _____ months already paid									0.00
[] OTHER:									0.00
TOTAL									438.00

The fees calculated above are to be charged to Deposit Account No. 02-4245.

If for some reason applicant has not requested a sufficient extension of time and/or has not paid a sufficient fee for this response and/or for the extension of time necessary to prevent the abandonment of this application, please consider this as a Request for an Extension for the required time period and/or an authorization to charge my Deposit Account No. 02-4245 for any fee which may be due. A duplicate copy of this sheet is enclosed.

Dated: April 27, 2004

By: Rodney F. Brown
 Rodney F. Brown
 Attorney for Applicant
 Registration No. 30,450

Adjustment date: 07/30/2004 EEKUBAY2
 05/19/2004 DBROOKS 00000004 024245 09935392
 02 FC:1201 86.00 CR

3365 Baltimore Street
 San Diego, California 92117
 Telephone: (858) 272-8705 C:1253

05/19/2004 DBROOKS 00000004 024245 09935392

426.00 DA

02-FC:1201

86.00 DA

0427a.001

07/30/2004 EEKUBAY1 00000002 024245 09935392

01 FC:1202 18.00 DA

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☒ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☒ **FADED TEXT OR DRAWING**
- ☒ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☒ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.

LAW OFFICES OF
RODNEY F. BROWN
PATENT AND TRADEMARK LAW

3365 BALTIMORE STREET
SAN DIEGO, CALIFORNIA 92117

BEST AVAILABLE COPY

(658) 272-8705
FAX: (658) 581-1282
E MAIL: rbrown@pacbell.net

VIA FAX (703) 308-5077 (sixteen pages)

June 22, 2004

Director - United States Patent and Trademark Office
Office of Finance - Refund Section
Washington, D.C. 20231

Re: Refund to Deposit Account 02-4245

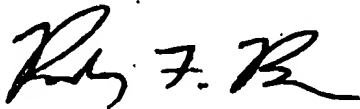
Dear Sir/Madam:

The undersigned requests a refund of \$68.00 to deposit account 02-4245. The amount of the refund request corresponds identically to an overcharge to the same account on May 19, 2004, in the amount of \$68.00.

The charge relates to payment for an excess claim added by amendment in U.S. Patent Application 09/935,392. My deposit account was incorrectly charged the fee of \$86.00 for one excess independent claim in the patent application. The correct charge should be \$18.00 for one claim in excess of the total claims in the application. The difference between these two amounts is \$68.00, i.e., the amount of the overcharge.

Enclosed is a copy of the Monthly Statement of Deposit Account for May 2004, on which the overcharge has been highlighted. Additionally enclosed are copies of the Response Transmittal and the Amendment After Final Action, which recites all of the claims in question and evidences that the applicant has only added one dependent claim by amendment in excess of the total claims in the application. If you have any questions regarding my request, I can be reached at the address and phone number of this letterhead.

Very truly yours,



Rodney F. Brown

RFB:0517a.000
enclosures

BEST AVAILABLE COPY



MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

RODNEY F BROWN ESQ.

FINA

3365 BALTIMORE STREET

SAN DIEGO CA 92117

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

Account No.	024245
Date	5-28-04
Page	1

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
5	3	04	24	E-REPLENISHMENT		9203	-5000.00	7189.00
5	5	04	139	10728736	001P9905.P02	1001	770.00	6419.00
5	5	04	140	10728736	001P9905.P02	1051	130.00	6289.00
5	5	04	141	10728736	001P9905.P02	1201	172.00	6117.00
5	5	04	235	10718249		8021	40.00	6077.00
5	5	04	245	10728736		8021	40.00	6037.00
5	19	04	4	09935392		1253	420.00	5617.00
5	19	04	5	09935392	001P0001	1201	86.00	5531.00
5	19	04	1130	2158390	021T9608	7205	100.00	5431.00
5	19	04	1131	2158390	021T9608	7208	200.00	5231.00
5	20	04	105	10848246	038P0401	1001	770.00	4461.00
5	20	04	106	10848246	038P0401	1202	468.00	3993.00
5	21	04	14	5574470		1552	2090.00	1903.00
5	24	04	15	E-REPLENISHMENT		9203	-5000.00	6903.00
5	24	04	202	10848246	038P0401	8021	40.00	6863.00
5	26	04	92	10750984	200304 USA	1001	770.00	6093.00
5	26	04	93	10750984	200304 USA	1051	130.00	5963.00
5	26	04	94	10750984	200304 USA	1201	172.00	5791.00
5	26	04	95	10750984	200304 USA	1202	234.00	5557.00
5	27	04	318	10750984		8021	40.00	5517.00

RECEIVED

JUN 21 2004

BY:

AN AMOUNT SUFFICIENT TO
COVER ALL SERVICES REQUESTED
MUST ALWAYS BE ON DEPOSIT

OPENING BALANCE

2189.00

TOTAL CHARGES

6672.00

TOTAL CREDITS

10000.00

CLOSING BALANCE

5517.00

Application No.: 09/035,392

Applicant: Jeffrey T. Mason

Filed: August 22, 2001

Title: Medication Delivery System Having Selectable Automated or Manual Discharge

Art Unit: 3783

Examiner: R. Ghafoorian

Docket No.: 001P0001

**RESPONSE TRANSMITTAL AND
EXTENSION OF TIME REQUEST**

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

FEE CALCULATION FOR ENCLOSED RESPONSE and EXTENSION REQUEST						
	Claims Remaining	Highest No. Previously Paid	Number Extra	Rate	Additional Fee	
Total Claims	25	- 24	= 1	\$18.00	= 18.00	
Independent Claims	6	- 9	= 0	\$86.00	= 0.00	
Surcharge For Multiple Dependent Claim First Added				\$290.00	= 0.00	
[X] Applicant requests a two month extension of time for response to the outstanding Office Action. The fee is					420.00	
[] SMALL ENTITY STATUS (If applicable, divide TOTAL by 2)					0.00	
[] Reduction for Extension Fee of ____ months already paid					0.00	
[] OTHER:					0.00	
TOTAL					438.00	

The fees calculated above are to be charged to Deposit Account No. 02-4245.

If for some reason applicant has not requested a sufficient extension of time and/or has not paid a sufficient fee for this response and/or for the extension of time necessary to prevent the abandonment of this application, please consider this as a Request for an Extension for the required time period and/or an authorization to charge my Deposit Account No. 02-4245 for any fee which may be due. A duplicate copy of this sheet is enclosed.

Dated: April 27, 2004

By: 

Rodney F. Brown

Attorney for Applicant

Registration No. 30,450

3385 Baltimore Street

San Diego, California 92117

Telephone: (658) 272-8705

0427a.001

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.9

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE BELOW.

April 27, 2004

DATE

RODNEY F. BROWN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/935,392
Applicant : Jeffrey T. Mason
Filed : August 22, 2001
Title : Medication Delivery System Having Selective Automated or Manual Discharge

Art Unit : 3763
Examiner : R. Ghafoorian

Docket No. : 001P0001

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. §1.116

Sir:

In response to the Final Office Action of November 28, 2003, Applicant respectfully requests entry of the following amendments to the above-captioned patent application. The amendments are in compliance with 37 C.F.R. §1.116 insofar as the amendments are limited to the cancellation of the remaining rejected claims and the formal correction of the language of claim 38 which does not touch on the merits of the application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks / Arguments begin on page 13 of this paper.

Application No. 09/935,392
Amendment dated April 28, 2004
Reply to Office Action of November 28, 2003

The following listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

Claims 1 and 2 have been canceled without prejudice.

Claim 3 (previously amended): The medication delivery system of claim 25, wherein said elastic member is a spring.

Claim 4 (previously amended): The medication delivery system of claim 25 wherein said bolus injector is positioned in series with said infusion pump, said injector inlet is connected to said pump outlet, and said bolus injector further includes an outlet valve positioned at said injector outlet and transitionable between an open position and a closed position, wherein said outlet valve is biased to said closed position and transitioned to said open position in response to ambient pressure of a fluid medication contacting said outlet valve.

Claim 5 (previously amended): The system of claim 25, wherein said bladder has an elastic memory to restore said bladder to an initial configuration after said bladder is deformed by compression.

Claim 6 has been canceled without prejudice.

Claim 7 (previously amended): The system of claim 25, wherein said pump flowpath includes a sight window oriented to enable visual contact with said drip chamber.

Claim 8 (previously amended): The system of claim 25, wherein said outlet tube is configured to revert said drip stream exiting said flow restriction to a reverted continuous

Application No. 09/935,392
Amendment dated April 26, 2004
Reply to Office Action of November 20, 2003

stream.

Claim 9 (previously amended): The system of claim 25, wherein said bolus chamber has a fluid capacity substantially less than said fluid storage chamber.

Claim 10 (previously amended): The system of claim 25 further comprising an outlet valve positioned at said injector outlet and transitionable between an open position and a closed position, wherein said outlet valve is biased to said closed position and transitioned to said open position in response to ambient pressure of fluid medication contacting said outlet valve.

Claim 11 (previously amended): The medication delivery system of claim 25 wherein said infusion pump including said fluid storage chamber, said pump outlet, said displacement piston, and said elastic member is a second infusion pump including, a second fluid storage chamber, a second pump outlet, a second displacement piston, and a second elastic member, said system further comprising a first infusion pump including, a first fluid storage chamber, a first pump outlet, a first displacement piston displacably positionable to expand or contract said first fluid storage chamber, and a first elastic member transitionable between a more stressed position and a less stressed position to displace said first displacement piston, wherein said bolus injector is positioned in series with said second infusion pump, and said injector inlet is connected to said second pump outlet, and said system further comprising a junction connecting said first pump outlet with said injector outlet and a common flow tube exiting said junction and in fluid communication with said first pump outlet and said injector outlet.

Claim 12 (previously amended): The system of claim 11, wherein said first infusion pump further includes a first pump flowpath providing fluid communication between said first fluid storage chamber and said first pump outlet, said first pump flowpath having a flow

Application No. 09/935,392
Amendment dated April 26, 2004
Reply to Office Action of November 28, 2003

restriction and a drip chamber, and wherein said flow restriction is sized to convert a continuous stream of fluid entering said flow restriction from said fluid storage chamber to a drip stream exiting said flow restriction into said drip chamber.

Claim 13 (previously amended): The system of claim 12, wherein said first pump flowpath includes a sight window oriented to enable visual contact with said drip chamber.

Claim 14 (previously amended): The system of claim 12 further comprising an outlet tube positioned beneath said flow restriction in said drip chamber separated from said flow restriction by a drip gap, wherein said outlet tube is configured to revert said drip stream exiting said flow restriction to a reverted continuous stream.

Claim 15 (original): The system of claim 11, wherein said first elastic member is a spring.

Claim 16 (original): The system of claim 11, wherein said second elastic member is a spring.

Claim 17 (previously amended): The medication delivery system of claim 25 wherein said pump outlet is a first pump outlet, said infusion pump further includes a second pump outlet for discharging fluid from said infusion pump in response to displacement of said displacement piston, wherein said injector inlet is connected to said second pump outlet, and said system further comprises a junction connecting said first pump outlet with said injector outlet and a common flow tube exiting said junction and in fluid communication with said first pump outlet and said injector outlet.

Claims 18-24 have been canceled without prejudice.

Application No. 09/935,392

Amendment dated April 28, 2004

Reply to Office Action of November 28, 2003

Claim 25 (previously amended): A medication delivery system comprising:

a) an infusion pump including,

a fluid storage chamber for storing fluid medication,

a displacement piston displaceably positionable to expand or contract said fluid storage chamber,

an elastic member transitionable between a more stressed position and a less stressed position to displace said displacement piston, [and]

a pump outlet for discharging a fluid from said infusion pump in response to displacement of said displacement piston,

a pump flowpath providing fluid communication between said fluid storage chamber and said pump outlet, wherein said pump flowpath has a flow restriction and a drip chamber with a drip chamber wall, an upper portion, and a lower portion, and wherein said flow restriction is sized to convert a continuous stream of a fluid entering said flow restriction from said fluid storage chamber to a drip stream exiting said flow restriction into said drip chamber, and

an outlet tube positioned beneath said flow restriction in said lower portion of said drip chamber and extending toward said upper portion, said outlet tube having a smaller cross section than said drip chamber to define a fluid accumulation space between said outlet tube and said drip chamber wall where at least some of said fluid exiting said flow restriction into said drip chamber accumulates; and

b) a bolus injector positioned downstream of said fluid storage chamber in fluid communication with said fluid storage chamber, said bolus injector including,

a flexible bladder,

a bolus chamber enclosed by said flexible bladder,

an injector inlet into said bolus chamber, and

an injector outlet from said bolus chamber.

Application No. 09/935,392
Amendment dated April 28, 2004
Reply to Office Action of November 28, 2003

Claim 26 (previously amended): A medication delivery system comprising:

- a) an infusion pump including,**
 - a fluid storage chamber for storing fluid medication,**
 - a displacement piston displacably positionable to expand or contract said fluid storage chamber,**
 - an elastic member transitionable between a more stressed position and a less stressed position to displace said displacement piston, [and]**
 - a pump outlet for discharging fluid from said infusion pump in response to displacement of said displacement piston,**
 - a pump flowpath providing fluid communication between said fluid storage chamber and said pump outlet, wherein said pump flowpath has a flow restriction and a drip chamber with a drip chamber wall, an upper portion, and a lower portion, and wherein said flow restriction is sized to convert a continuous stream of a fluid entering said flow restriction from said fluid storage chamber to a drip stream exiting said flow restriction into said drip chamber, and**
 - an outlet tube positioned beneath said flow restriction in said lower portion of said drip chamber and extending toward said upper portion, said outlet tube having a smaller cross section than said drip chamber to define a fluid accumulation space between said outlet tube and said drip chamber wall where at least some of said fluid exiting said flow restriction into said drip chamber accumulates; and**
- b) a bolus injector positioned in series with said infusion pump including,**
 - a flexible bladder,**
 - a bolus chamber enclosed by said flexible bladder,**
 - an injector inlet into said bolus chamber and connected to said pump outlet, and**
 - an injector outlet from said bolus chamber.**

Application No. 09/935,392

Amendment dated April 26, 2004

Reply to Office Action of November 28, 2003

Claim 27 (previously amended): A medication delivery system comprising:

- a) an infusion pump including,
 - a fluid storage chamber,
 - a displacement piston displaceably positionable to expand or contract said fluid storage chamber,
 - an elastic member transitionable between a more stressed position and a less stressed position to displace said displacement piston,
 - a first pump outlet for discharging fluid from said infusion pump in response to displacement of said displacement piston, [and]
 - a second pump outlet for discharging fluid from said infusion pump in response to displacement of said displacement piston,
 - a pump flowpath providing fluid communication between said fluid storage chamber and said first pump outlet, wherein said pump flowpath has a flow restriction and a drip chamber with a drip chamber wall, an upper portion, and a lower portion, and wherein said flow restriction is sized to convert a continuous stream of a fluid entering said flow restriction from said fluid storage chamber to a drip stream exiting said flow restriction into said drip chamber, and
 - an outlet tube positioned beneath said flow restriction in said lower portion of said drip chamber and extending toward said upper portion, said outlet tube having a smaller cross section than said drip chamber to define a fluid accumulation space between said outlet tube and said drip chamber wall where at least some of said fluid exiting said flow restriction into said drip chamber accumulates; and
- b) a bolus injector in fluid communication with said fluid storage chamber including,
 - a flexible bladder,
 - a bolus chamber enclosed by said flexible bladder,

Application No. 09/935,392
Amendment dated April 26, 2004
Reply to Office Action of November 28, 2003

an injector inlet into said bolus chamber and connected to said second pump outlet, and
an injector outlet from said bolus chamber.

Claim 28 (previously amended): A medication delivery system comprising:

- a) a first infusion pump including,
 - a first fluid storage chamber,
 - a first displacement piston displaceably positionable to expand or contract said first fluid storage chamber,
 - a first elastic member transitionable between a more stressed position and a less stressed position to displace said first displacement piston, and
 - a first pump outlet for discharging fluid from said first infusion pump in response to displacement of said first displacement piston;
- b) a second infusion pump including,
 - a second fluid storage chamber,
 - a second displacement piston displaceably positionable to expand or contract said fluid storage chamber,
 - a second elastic member transitionable between a more stressed position and a less stressed position to displace said second displacement piston,
 - a second pump outlet for discharging fluid from said second infusion pump in response to displacement of said second displacement piston,
 - a pump flowpath providing fluid communication between said first fluid storage chamber and said first pump outlet, wherein said pump flowpath has a flow restriction and a drip chamber with a drip chamber wall, an upper portion, and a lower portion, and wherein said flow restriction is sized to convert a continuous stream of a fluid entering said flow restriction from said first fluid storage chamber to a drip stream exiting said flow restriction into

Application No. 09/935,392

Amendment dated April 28, 2004

Reply to Office Action of November 28, 2003

said drip chamber, and

an outlet tube positioned beneath said flow restriction in said lower portion of said drip chamber and extending toward said upper portion, said outlet tube having a smaller cross section than said drip chamber to define a fluid accumulation space between said outlet tube and said drip chamber wall where at least some of said fluid exiting said flow restriction into said drip chamber accumulates; and

c) a bolus injector positioned in series with said second infusion pump including,

a flexible bladder,

a bolus chamber enclosed by said flexible bladder,

an injector inlet into said bolus chamber and connected to said second pump outlet, and

an injector outlet from said bolus chamber.

Claim 29 (previously amended): A medication delivery system comprising:

a) an infusion pump including,

a fluid storage chamber for storing fluid medication,

a displacement piston displaceably positionable to expand or contract said fluid storage chamber,

an elastic member transitionable between a more stressed position and a less stressed position to displace said displacement piston,

a pump outlet for discharging a fluid from said infusion pump in response to displacement of said displacement piston, and

a pump flowpath providing fluid communication between said fluid storage chamber and said pump outlet, said pump flowpath including a flow restriction, a drip chamber, a sight window, and an outlet tube, wherein said drip chamber has a drip chamber wall, an upper portion, and a lower portion,

Application No. 09/935,392
Amendment dated April 28, 2004
Reply to Office Action of November 28, 2003

said flow restriction exiting into said drip chamber and said outlet tube positioned beneath said flow restriction in said drip chamber separated from said flow restriction by a drip gap, said sight window oriented to enable visual contact with said drip chamber, wherein said flow restriction is sized to convert a continuous stream of fluid entering said flow restriction from said fluid storage chamber to a drip stream exiting said flow restriction into said drip chamber and wherein said outlet tube extends toward said upper portion, said outlet tube having a smaller cross section than said drip chamber to define a fluid accumulation space between said outlet tube and said drip chamber wall where at least some of said fluid exiting said flow restriction into said drip chamber accumulates; and

b) a bolus injector positioned downstream of said fluid storage chamber in fluid communication with said fluid storage chamber, said bolus injector including,
a flexible bladder,
a bolus chamber enclosed by said flexible bladder,
an injector inlet into said bolus chamber, and
an injector outlet from said bolus chamber.

Claim 30 (previously presented): The system of claim 29 wherein said drip chamber has a volumetric center and said outlet tube has an inlet end and further wherein said inlet end of said outlet tube is positioned approximately at said volumetric center of said drip chamber.

Claim 31 (previously presented): The system of claim 28, wherein said outlet tube is configured to revert said drip stream exiting said flow restriction to a reverted continuous stream.

Claim 32 (previously presented): The system of claim 27, wherein said outlet tube

Application No. 09/935,392
Amendment dated April 28, 2004
Reply to Office Action of November 28, 2003

is configured to revert said drip stream exiting said flow restriction to a reverted continuous stream.

Claim 33 (previously presented): The system of claim 28, wherein said outlet tube is configured to revert said drip stream exiting said flow restriction to a reverted continuous stream.

Claim 34 (previously presented): The system of claim 29, wherein said outlet tube is configured to revert said drip stream exiting said flow restriction to a reverted continuous stream.

Claims 35-37 are canceled without prejudice.

Claim 38 (currently amended): A medication delivery system comprising:

- a) a first infusion pump including,
 - a first fluid storage chamber,
 - a first displacement piston displaceably positionable to expand or contract said first fluid storage chamber, and
 - a first elastic member transitionable between a more stressed position and a less stressed position to displace said first displacement piston, and
 - a first pump outlet for discharging fluid from said first infusion pump in response to displacement of said first displacement piston;
- b) a second infusion pump including,
 - a second fluid storage chamber,
 - a second displacement piston displaceably positionable to expand or contract said second fluid storage chamber,
 - a second elastic member transitionable between a more stressed position and a less stressed position to displace said second displacement

Application No. 09/935,392

Amendment dated April 26, 2004

Reply to Office Action of November 28, 2003

piston, and

a second pump outlet for discharging fluid from said second infusion pump in response to displacement of said second displacement piston; and

c) a bolus injector positioned in series with said second infusion pump including,

a flexible bladder,

a bolus chamber enclosed by said flexible bladder,

an injector inlet into said bolus chamber and connected to said second pump outlet, and

an injector outlet from said bolus chamber.

Application No. 09/935,392
Amendment dated April 28, 2004
Reply to Office Action of November 28, 2003

REMARKS / ARGUMENTS

Claims 3-5, 7-17 and 25-38 were pending in the above-captioned patent application at the time of the Final Office Action. The Office Action allows claims 3-5, 7-17, 25-34, and 38. Claims 35-37 are rejected. In response to the rejections, applicant cancels all rejected claims 35-37. Claim 38 has also been formally amended to correct an obvious typographical error.

Conclusion

In conclusion, applicant respectfully requests an early notice of allowance since only the allowed claims remain pending in the instant patent application. The Examiner is requested to call the undersigned at (858) 272-8705 for any reason that would advance the instant application to issue.

Respectfully submitted,



Rodney F. Brown
Attorney for Applicant
Registration No. 30,450

3365 Baltimore Street
San Diego, California 92117
Telephone: (858) 272-8705

RFB:001P0001E